

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

United States of America,

Case No. 3:17-cr-55

Plaintiff,

v.

ORDER

Larry Stewart,

Defendant.

Defendant Larry Stewart, an inmate incarcerated at the Federal Correctional Institution in Milan, Michigan, has filed a *pro se* motion to waive the “organizer, leader, manager” role enhancement to his sentence. (Doc. No. 815). The government opposes Stewart’s motion. (Doc. No. 816).

On November 19, 2018, Stewart pled guilty to one count of conspiracy to distribute illegal drug, in violation of 21 U.S.C. § 846. (*See* non-document entry dated November 19, 2018). As part of his plea agreement, Stewart stipulated that the “organizer, leader, manager” enhancement applied in his case and should be used to calculate his total offense level before any reduction for acceptance of responsibility. (Doc. No. 485 at 5). Stewart did not file a notice of appeal or a motion to vacate his conviction and sentence pursuant to 28 U.S.C. § 2255, and the deadline for doing so is long past. Therefore, I deny his motion. (Doc. No. 815).

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge